UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JAN 19 2016

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Article Number: 7015 1520 0003 0792 2163

Adil Bayat, Owner
United Gas Corp.
510 Uniondale Ave.
Uniondale, NY 11553

Re: Request For An Extension to Reply to Additional Request for Information Pursuant to Section 9005 of the Solid Waste Disposal Act,
as amended **RCRA-UST-IR-16-002**
United Gas Corp./Hempstead Boulevard Petroleum Corp.
510 Uniondale Ave.
Uniondale, NY
NYSDEC Facility ID# NAU36834

Dear Mr. Bayat:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of human health and the environment under the Solid Waste Disposal Act, as amended (often referred to as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 et. seq.). On or about December 30, 2015, EPA sent you the above referenced Additional Request for Information (IRL). The IRL was received by you on January 2, 2016. Your response to the IRL is due January 17, 2016, fifteen (15) calendar days from the date of receipt of the letter.

On January 12, 2016, EPA received an e-mail from your counsel, Kenneth Robinson, requesting an extension to respond to the IRL until January 22, 2016. To ensure that your response to the IRL is accurate and complete, EPA will grant you the extension; the new deadline for responding to the IRL is January 22, 2016.

The information must be submitted to the following addressee:

Dennis J. McChesney, Team Leader
UST Team
Division of Enforcement and Compliance Assistance
U.S. Environmental Protection Agency
290 Broadway, 20th Floor
New York, NY 10007-1866
212-637-4211 (fax)
Attn: Paul Sacker

Failure to respond to this letter truthfully and accurately within the time provided may subject you to sanctions authorized by federal law, including but not limited to initiating a formal enforcement action pursuant to Section 9006 of RCRA, 42 U.S.C. 6991e which can include seeking penalties of up to $16,000 per UST per day of violation. Please also note that all information you provide may be used in an administrative, civil judicial, or criminal action.

If you have any questions concerning the information requested, please contact Paul Sacker at (212) 637-4237 or by e-mail at sacker.paul@epa.gov.

Sincerely,

Leonard Voo, Chief
RCRA Compliance Branch
Division of Enforcement and Compliance Assistance

cc: Carrie Meek Gallagher
Regional Director
DEC Region 1
50 Circle Road
Stony Brook, NY 11790-3409

Lawrence E. Eisenstein MD, FACP
Commissioner of Health
Nassau County Department of Health
200 County Seat Drive
Mineola, NY 11501

Scott D. Tusa
Chief Fire Marshal
Nassau County Fire Marshal's Office
1194 Prospect Ave.
Westbury, NY 11590

Kenneth L. Robinson, Esq.
Robinson & Associates, P.C.
35 Roosevelt Ave.
Syosset, NY 11791

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

DEC 3 0 2015

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
Article Number: 7015 1520 0003 0791 0016

Adil Bayat, Owner
United Gas Corp.
510 Uniondale Ave.
Uniondale, NY 11553

Re: **Additional** Request for Information Pursuant to Section 9005 of the Solid Waste Disposal Act, as amended **RCRA-UST-IR-16-002**
United Gas Corp./Hempstead Boulevard Petroleum Corp.
510 Uniondale Ave.
Uniondale, NY
NYSDEC Facility ID# NAU36834

Dear Mr. Bayat:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of human health and the environment under the Solid Waste Disposal Act, as amended (often referred to as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§6901 et seq.). On or about October 22, 2014, EPA contractors conducted an underground storage tank (UST) inspection of the facility(s) listed above in accordance with Section 9005(a) of RCRA, 42 U.S.C. §6991d(a), and 40 C.F.R. §280.34. From the contractor's inspection report, EPA determined that potential violations of Federal UST regulations existed.

In addition, Section 9005(a) of RCRA, 42 U.S.C. §6991d(a), and 40 C.F.R. §280.34 authorizes EPA to require from the owners and operators of UST systems to submit certain information to enable EPA to determine the status of compliance with Subtitle I of RCRA, as amended, 42 U.S.C. § 6991 et seq., and the regulations promulgated pursuant thereto and set forth at 40 C.F.R. Part 280.

On October 22, 2015, EPA issued to you an information request letter (IRL) to determine the compliance status of the USTs located at this facility. On December 4, 2015, your representative Kenneth L. Robinson of Robinson & Associates, PC, submitted your response to the IRL. After reviewing this response, EPA has additional questions as follows:

Ownership of additional facilities:

Question 3 of our October 22, 2015 IRL requested that you:

> Provide a complete list of all the facilities that are owned and/or operated by United Gas Corp., ***its parent, affiliates, subsidiaries, or which share corporate officers with United Gas Corp.***

and which contain federally-regulated UST systems. For each such facility indicate the address of the facility at which the USTs are located, the number of UST systems, and each facility's UST registration number" (emphasis added).

Your response to Question 3 indicates that United Gas Corp. does not own or operate any other facilities with federally regulated USTs. However, it is silent on the issue of any facilities that may be ***parent, affiliates, subsidiaries, or which share corporate officers with United Gas Corp***. We have noted that your name is associated as a potential owner/operator of other UST facilities in the Long Island area. Therefore, we ask that you provide us a list of all UST facilities where the USTs are owned or operated by you, Abdil Bayat, in any capacity as stated in bold, above. Please provide for each such facility the address of the facility at which the USTs are located, the number of UST systems, and each facility's UST registration number.

Yahya Bayat/Edward Clark:

Please also provide your relationship to Yahya Bayat and Edward Clark, whom we have noted are individuals who may own/operate UST facilities that share UST registration information with you within Nassau and Suffolk County, N.Y. To the extent you can, please provide for each such facility you share ownership and or operation with these individuals, the address of the facility at which the USTs are located, the number of UST systems, and each facility's UST registration number.

Release Detection For Tanks:

Your response to Question 17, requesting what method of monthly release detection monitoring are utilized for the tanks located at this facility was to state that it is "a.) Computerized system and visual inspection." Your response further indicates that ground water monitoring is not an applicable release detection method being used. Question 18: goes on to state that "The USTs are monitored by stick readings and tightness tests and the Veeder Root." You provide 10-day inventory control reconciliation sheets for August 18, 2014 through October 5, 2015 and tank tightness test results from 2012 as evidence of an alternative form of release detection. There was also a receipt provided from CROMPCO dated December 2, 2015 which indicated a tank tightness test may have been conducted at that time, but no results were provided.

However, during the UST inspection on October 22, 2014, there was no evidence provided or observed that a Veeder Root system or a manual (visual) method of release detection was performed. If a Veeder Root system, or another electronic monitoring system, has been installed at this facility, please provide the exact make and model number, its programmed capabilities, and the installation date. Please also provide monthly release detection data from the electronic system since its installation through the date of receipt of this letter. Also, describe in detail any manual (visual) method used for release detection and provide monthly records for all methods utilized for monthly release detection from at least October 22, 2013 through receipt of this letter.

Also, during the October 22, 2014 inspection, the inspector was provided evidence that groundwater monitoring was utilized as a release detection method and was provided a log that states "Water Well Monitoring". If groundwater monitoring is or was not used as a release detection method, as the IRL response indicates, please state what this log was meant to represent. If groundwater monitoring is or was used as the method of release detection, and your previous IRL response was in error, please state

so and demonstrate how the groundwater monitoring system complies with 40 C.F.R. § 280.43(f) – we refer you to specific requirements laid out in Question 17 of our October 22, 2015 IRL.

Be aware that as the tanks at this facility were installed in 1982 they are consequently too old to utilize inventory control reconciliation as a release detection method under Federal regulations, therefore a valid form of release detection, per 40 C.F.R. § 280.43 must be demonstrated for the UST systems located at this facility to ensure compliance.

Release detection for Pressurized Lines:

The IRL response to Question 20, indicates that: "The piping is equipped with automatic line leak detection. The testing was conducted in 2012 and 2015, more frequently than the five (5) year testing interval required." The response provides an annual automatic line leak detector (ALLD) test and line tightness test dated March 5, 2012. There was also a receipt provided from CROMPCO dated December 2, 2015 which indicated tests were conducted, however no actual results were provided.

40 C.F.R. § 280.41(b)(1) and 44 requires that owner/operators of underground pressurized piping must either conduct monthly monitoring for releases from the lines and keep at least 12 months of records of said monitoring, OR in the alternative, conduct an **annual** line tightness test. In addition, 40 C.F.R. § 280.41(b)(1) and 44(a) require that ALLDs must be tested **annually**. Therefore to demonstrate compliance at the facility, please provide:

- Documentation of monthly monitoring of the pressurized lines AND/OR results of all line tightness test conducted between October 22, 2013 through December 2, 2015 (most recent CROMPCO results).

- Results of all ALLD performance test conducted between October 22, 2013 through December 2, 2015 (most recent CROMPCO results).

Financial Responsibility Requirements:

Question 26 asked that your provide documentation of compliance with federal regulatory financial responsibility (insurance) requirements (40 C.F.R. §280 Subpart H) in case of a release from an UST, including coverage for third party bodily injury from the period of October 22, 2014 to receipt of the previous letter. Your IRL response only states that "An application for renewal of the applicable policy is pending according to the operator." Therefore, we again ask that you submit a copy of the current 3rd party liability insurance as well as documentation showing that the facility was insured from at least October 22, 2014. If you are unable to demonstrate compliance with this requirement, please state so and explain why you are unable to provide such documentation. Please be advised that records of financial responsibility must be maintained from the date that the USTs are placed in service until they are permanently closed.

As the owner and/or operator of a federally regulated UST system(s), you are hereby required to submit within **fifteen (15) calendar days** information for the Underground Storage Tank (UST) systems located at the facility located at 510 Uniondale Ave., Uniondale, NY, and information on any other UST systems as requested above. The EPA requests the information outlined above, pursuant to

Section 9005(a) of the Solid Waste Disposal Act (often referred to as RCRA), 42 U.S.C. § 6991d(a), and 40 CFR § 280.34. This information is necessary to determine whether the UST systems are being operated in compliance with Subtitle I of RCRA, as amended, 42 U.S.C. §§ 6991 et seq., and the regulations promulgated pursuant thereto and set forth at 40 C.F.R. Part 280.

Requests for additional time must be justified, and must be requested within five (5) calendar days of your receipt of this letter. The response or request for additional time must be submitted to the following addressee:

Dennis J. McChesney, Ph.D., MBA, Team Leader
UST Team
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, NY 10007-1866
Attn: Paul Sacker

An officer or agent who is authorized to respond on behalf of the owner and/or operator of the UST systems identified above must complete and sign the attached Certification page (Enclosure I), and return it with the response to this Request for Information.

Subject to 40 C.F.R. Part 2, a business confidentiality claim covering all or part of the information herein requested can be asserted by placing a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential" on the information at the time it is submitted. The claim should set forth the information requested in 40 C.F.R. Section 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. EPA may, at its discretion, evaluate the confidentiality claim pursuant to procedures set forth at 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This request for information is not subject to the requirements of the Paperwork Reduction Act as amended by 44 U.S.C. 3501 et seq.

If you have any questions concerning the information requested, please contact Paul Sacker at (212) 637-4237 or by e-mail at sacker.paul@epa.gov. I urge your prompt attention to this matter.

Sincerely,

Leonard Voo, Chief
RCRA Compliance Branch
Division of Enforcement and Compliance Assistance

Enclosures

cc: Carrie Meek Gallagher
Regional Director
DEC Region 1
50 Circle Road
Stony Brook, NY 11790-3409

Lawrence E. Eisenstein MD, FACP (w/Enclosure)
Commissioner of Health
Nassau County Department of Health
200 County Seat Drive
Mineola, NY 11501

Scott D. Tusa (w/Enclosure)
Chief Fire Marshal
Nassau County Fire Marshal's Office
1194 Prospect Ave.
Westbury, NY 11590

Kenneth L. Robinson, Esq.
Robinson & Associates, P.C.
35 Roosevelt Ave.
Syosset, NY 11791

ENCLOSURE I

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in response to EPA's Request for Information, and all documents submitted herewith; that the submitted information is true, accurate, and complete; and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

_____ _____

NAME (print or type) DATE

_____

SIGNATURE

_____

TITLE

_____

COMPANY

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Adil Bayat, Owner
United Gas Corp.
510 Uniondale Ave.
Uniondale, NY 11553

9590 9403 0726 5196 9183 11

2. Article Number *(Transfer from service label)*

7015 1520 0003 0791 0016

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Michael Bayat ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

NY 11553-9998 JAN - 2 2015 USPS

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

U.S. Environmental Protection Agency
Region II, DECA-RCB
290 Broadway 20th Fl.
New York, N.Y. 10007-1866

Paul ... United Gas Corp CRL-16-002

U.S. ENVIRONMENTAL PROTECTION AGENCY
2016 ... PM 4:40
...CB-UST

USPS TRACKING#

9590 9403 0726 5196 9183 11

Kenneth L. Robinson, Esq.
ROBINSON & ASSOCIATES, P.C.
Attorneys at Law
35 Roosevelt Avenue
Syosset, New York 11791
1(516)496-9044
Fax: 1(516) 496-9047
ENVLAW516@AOL.COM

January 22, 2016

Dennis J. McChesney, Ph.D., MBA, Team Leader
UST Team
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, NY 10007-1866
Attention: Paul Sacker

Re: Delta Hempstead Blvd. Petroleum Corp.
510 Uniondale Avenue
Uniondale, NY
NYSDEC Facility ID# NAU36834

Dear Mr. Sacker:

Enclosed please find the additional responses requested by the U.S. Environmental Protection Agency's ("EPA") December 30, 2015 Information Request regarding the above referenced gasoline station:

1. I am unaware of any authority that EPA has to request information regarding any other facilities owned and/or operated by United Gas Corp., its parent, affiliates, subsidiaries, or which share corporate officers with United Gas Corp.

2. I am also unaware of any authority EPA has to request from my client any information pertaining to Yahya Bayat or Edward Clark.

3. Enclosed are the results of the December 2, 2015 Crompco test. They were not available at the time of our initial response.

4. The operator of the facility has advised that it has a Veeder Root System. At the present time we are seeking to evict the tenant and have not been able to obtain further documentation from him.

5. My client is unaware of what information the facility operator provided to the inspector on October 22, 2014 regarding groundwater monitoring. To the best of my client's knowledge, the UST system is equipped with U-tubes to detect any leak from the UST system.

6. Enclosed is a copy of the Endorsement reflecting that the facility is in compliance with the federal financial responsibility (insurance) requirements.

Please provide me with a copy of the October 22, 2014 Inspection Report.

Thank you for the additional time to respond to the December 30, 2015 request.

Respectfully submitted,

Kenneth L. Robinson, Esq.

KLR:jc
Enclosures

cc: United Gas Corp. (w/o enc.)

ENDORSEMENT

This endorsement forms a part of the policy to which it is attached. Please read it carefully

ADDITIONAL INSURED(S) - SCHEDULED

Policy Number	Endorsement Effective Date	Endorsement Number
CST200212714	4/7/2015	

In consideration of the payment of premium by the **Named Insured**, we agree, subject to all the terms, exclusions and conditions of the policy, that the person(s) or entity(ies) scheduled below shall be added as an **insured** under this policy, but solely with respect to a **claim** or **suit** arising from the **Named Insured's** ownership, operation, maintenance or use of the **covered location(s)** and/or **covered storage tank system(s)** and otherwise covered under the terms and conditions of this policy.

The coverage provided by this endorsement shall not apply to any **claims** or **suits** based, in whole or in part, upon or arising from the negligence, strict liability or acts, errors or omissions of the person(s) or entity(ies) scheduled below as an additional **insured(s)**, but only for the vicarious liability of the additional **insured(s)** added by this endorsement, which liability is a direct result of the acts of the **Named Insured** in the Declarations.

SCHEDULED PERSON(S) OR ORGANIZATION(S)

Uniondale Land Corp

United Gas Corp

ALL OTHER TERMS AND CONDITIONS OF THE POLICY SHALL APPLY AND REMAIN UNCHANGED.

CERTIFICATE OF STORAGE TANK SYSTEM TESTING

CROMPCO

Crompco, LLC
1815 Gallagher Road
Plymouth Meeting, PA 19462

Phone: (610) 278-7203
Fax: (610) 278-7621

Work Order #446351	Client Information	Location #36834
Date: Wed Dec 2nd, 2015 **Reason:** Compliance	Jerusalem Petroleum Corp(Eric Burshtein) **Invoice #**631459 **Permit#** **P.O.#**	Jerusalem Petroleum Corp Delta 510 Uniondale Ave. Uniondale, NY 11553 **County:** Nassau **Nassau FD Permit #:** Reg-20044597, Reg-20044598, Sup-20044599 **State ID:** 36834

Testing was conducted in accordance with all applicable portions of Federal, NFPA, and local regulations.

Tanks

Equip #	Grade	Test	Result
55581	Regular	EZY-3 Locator Plus	Pass
55582	Regular	EZY-3 Locator Plus	Pass
55583	Premium	EZY-3 Locator Plus	Pass

Lines

Equip #	Grade	Test	Result
55581 (1-4)	Regular	Petro-tite Line	Pass
55583 (1-4)	Premium	Petro-tite Line	Pass

Leak Detectors

Equip #	Grade	Test	Result
55581	Regular	Leak Detector	Pass
55583	Premium	Leak Detector	Pass

Miscellaneous Inspections

Test	Result
Shear Valve	Pass

Additional Costs

PARTS: Fill Adaptor Non-Swivel, Leak Detector
EXPENSES: Fuel Surcharge, Miscellaneous Consumables, Test Results Storage
MISCELLANEOUS FIELD SERVICES: Permit (NCFM) (3)

Brian Sjostrom
Petro-Tite Line Testing# 3f924661 (Exp: 11/25/2017)
Petro-Tite Tank Testing# 3f924661PTT (Exp: 11/25/2017)
Rockland County Approved for Petro-Tite Line Testing
NYC Fire Department Certificate of Fitness# 63662803
NYC Fire Department Certificate of Fitness# 63662803
Line Testing COF ID# 20005451 Tester ID# 29494 Type: UF
Tank Testing COF ID# 20005451 Tester ID# 29494 Type: UF
API Worksafe Safety Key# 27558395
EZY-3 Locator Plus# 56-2215 (Exp: 11/15/2017)

Crompco, LLC	**Delta**	510 Uniondale Ave.	**Facility/Agency Copy**
1815 Gallagher Road	**Phone:** (610) 278-7203	Uniondale, NY 11553	Site #36834 / WO #446351
Plymouth Meeting, PA 19462	**FAX:** 610-278-7621	**State ID:** 36834	Wed Dec 2nd, 2015

EZY 3 Locator Plus

TOTAL TANK VOL (gal):	6000	TANK # / PRODUCT TYPE:	55581 / Regular ☐ DRONE
ULLAGE VOL (gal):	4808	WALL TYPE:	Single
PRODUCT VOL (gal):	1192	MATERIAL:	Fiberglass

PRESSURE SENSOR CALCULATION

23.0000 (INCHES OF PRODUCT)	X 0.026 psi (WEIGHT OF PRODUCT)	= 0.5980	PSI(1)
0.0000 (INCHES OF WATER IN TANK)	X .036 psi (WEIGHT OF WATER)	= 0.0000	PSI(2)
Line 1 + Line 2 = Total Positive Head Pressure in Tank		= 0.5980	PSI(3)
0.0000 (INCHES OF WATER OUTSIDE TANK)	X ☑ 0.036 (Water Table Outside Tank) ☐ 0.049 (Brine Filled DW Tank) ☐ 0.000 (Double Wall Dry) ☐ 0.036 (Double Wall with Water in Outerwall)	= 0.0000	PSI(4)
Total Head Pressure Minus Outside Water Pressure		= 0.5980	+/-PSI(5)
Always add .5 PSI		= 1.0980	PSI(6)
NOTE: If Line 6 is less than .5 PSI, Line 7 shall be .5 PSI TEST PRESSURE		= 1.0980	PSI(7)

	TIME	PRESSURE (psi of vacuum)
BLOWER STARTED:	13:30	0.0000
TEST PRESSURE REACHED:	13:41	1.5100
BLOWER TURNED OFF:	13:44	1.4700
TEST BEGAN:	13:45	1.4500
TEST ENDED:	13:55	1.3800

Depth of Groundwater Determined:
By: Tank field observation well
Where: Next to tank(s) in tank backfill

WATER SENSOR CALIBRATION

Added (ml):	50.0000	50.0000	50.0000
	Cal #1	Cal #2	Cal #3
Average:	50.0000		

Water Intrusion Test Period: Began: 14:00
Ended: 14:16

Calculation for test period:

50.0000	/ 3780 =	0.0132	/ .05 X 60 =	15.8400 (min)
Ave. Cal.		"A" Factor		Time of Test

TANK SYSTEM

Product in Tank (inches):	23.0000
Water in Tank (inches):	0.0000
Tank top to grade (inches):	54.0000
Diameter (inches):	90
Bottom to grade (inches):	144.0000
Groundwater (inches):	0.0000

THE ACOUSTIC CHARACTERISTICS OF A LEAK REVEALS:

☑ TIGHT TANK
This underground storage tank PASSES the criteria set forth by the U.S. EPA

☐ ULLAGE (DRY) PORTION LEAK
This underground storage tank FAILS the criteria set forth by the U.S. EPA

☐ BELOW PRODUCT LEVEL (WET) PORTION LEAK
This underground storage tank FAILS the criteria set forth by the U.S. EPA

☐ Inconclusive

WATER SENSOR INDICATES:

☑ NO WATER INTRUSION
☐ WATER INTRUSION
☐ NOT APPLICABLE
☐ INCONCLUSIVE

	Serial:	Calibration Expiration:
Water Sensor Display:	10268	2016-03-30
Water Sensor Probe:	P0903802	2016-03-30
Acoustic Signal Processor:	E1139019	2016-03-30
In-Tank Microphone:	M0919002	2016-03-30
Digital Pressure Sensor:	40658214	2016-03-30
Analog Vacuum Gauge:	NG9726825	2016-03-30

Crompco, LLC	**Delta**	510 Uniondale Ave.	**Facility/Agency Copy**
1815 Gallagher Road	**Phone:** (610) 278-7203	Uniondale, NY 11553	Site #36834 / WO #446351
Plymouth Meeting, PA 19462	**FAX:** 610-278-7621	**State ID:** 36834	Wed Dec 2nd, 2015

EZY 3 Locator Plus

TOTAL TANK VOL (gal):	6000	TANK # / PRODUCT TYPE:	55582 / Regular ☑ DRONE
ULLAGE VOL (gal):	4734	WALL TYPE:	Single
PRODUCT VOL (gal):	1266	MATERIAL:	Fiberglass

PRESSURE SENSOR CALCULATION

24.0000 (INCHES OF PRODUCT)	X 0.026 psi (WEIGHT OF PRODUCT)	= 0.6240	PSI(1)
0.0000 (INCHES OF WATER IN TANK)	X .036 psi (WEIGHT OF WATER)	= 0.0000	PSI(2)
Line 1 + Line 2 = Total Positive Head Pressure in Tank		= 0.6240	PSI(3)
0.0000 (INCHES OF WATER OUTSIDE TANK)	X ☑ 0.036 (Water Table Outside Tank) ☐ 0.049 (Brine Filled DW Tank) ☐ 0.000 (Double Wall Dry) ☐ 0.036 (Double Wall with Water in Outerwall)	= 0.0000	PSI(4)
Total Head Pressure Minus Outside Water Pressure		= 0.6240	+/-PSI(5)
Always add .5 PSI		= 1.1240	PSI(6)
NOTE: If Line 6 is less than .5 PSI, Line 7 shall be .5 PSI TEST PRESSURE		= 1.1240	PSI(7)

	TIME	PRESSURE (psi of vacuum)
BLOWER STARTED:	13:45	0.0000
TEST PRESSURE REACHED:	13:58	1.6300
BLOWER TURNED OFF:	14:01	1.5900
TEST BEGAN:	14:02	1.5700
TEST ENDED:	14:12	1.4600

Depth of Groundwater Determined:
By: Tank field observation well
Where: Next to tank(s) in tank backfill

WATER SENSOR CALIBRATION

Added (ml):	50.0000	50.0000	50.0000	
	Cal #1	Cal #2	Cal #3	
Average:	50.0000			
Water Intrusion Test Period:		Began:	14:15	
		Ended:	14:31	
Calculation for test period:				
50.0000	/ 3780 =	0.0132	/ .05 X 60 =	15.8400 (min)
Ave. Cal.		"A" Factor		Time of Test

TANK SYSTEM

Product in Tank (inches):	24.0000
Water in Tank (inches):	0.0000
Tank top to grade (inches):	52.0000
Diameter (inches):	92
Bottom to grade (inches):	144.0000
Groundwater (inches):	0.0000

THE ACOUSTIC CHARACTERISTICS OF A LEAK REVEALS:

☑ TIGHT TANK
This underground storage tank PASSES the criteria set forth by the U.S. EPA

☐ ULLAGE (DRY) PORTION LEAK
This underground storage tank FAILS the criteria set forth by the U.S. EPA

☐ BELOW PRODUCT LEVEL (WET) PORTION LEAK
This underground storage tank FAILS the criteria set forth by the U.S. EPA

☐ Inconclusive

WATER SENSOR INDICATES:

☑ NO WATER INTRUSION
☐ WATER INTRUSION
☐ NOT APPLICABLE
☐ INCONCLUSIVE

	Serial:	Calibration Expiration:
Water Sensor Display:	10262	2016-03-30
Water Sensor Probe:	P1317203	2016-03-30
Acoustic Signal Processor:	E1139019	2016-03-30
In-Tank Microphone:	M1324011	2016-03-30
Digital Pressure Sensor:	407421114	2016-03-30
Analog Vacuum Gauge:	NG9726823	2016-03-30

Crompco, LLC	**Delta**	510 Uniondale Ave.	**Facility/Agency Copy**
1815 Gallagher Road	**Phone:** (610) 278-7203	Uniondale, NY 11553	Site #36834 / WO #446351
Plymouth Meeting, PA 19462	**FAX:** 610-278-7621	**State ID:** 36834	Wed Dec 2nd, 2015

EZY 3 Locator Plus

TOTAL TANK VOL (gal):	6000	TANK # / PRODUCT TYPE:	55583 / Premium ☐ DRONE
ULLAGE VOL (gal):	4953	WALL TYPE:	Single
PRODUCT VOL (gal):	1047	MATERIAL:	Fiberglass

PRESSURE SENSOR CALCULATION

21.0000 (INCHES OF PRODUCT)	X 0.026 psi (WEIGHT OF PRODUCT)	= 0.5460	PSI(1)
0.0000 (INCHES OF WATER IN TANK)	X .036 psi (WEIGHT OF WATER)	= 0.0000	PSI(2)
Line 1 + Line 2 = Total Positive Head Pressure in Tank		= 0.5460	PSI(3)
0.0000 (INCHES OF WATER OUTSIDE TANK)	X ☑ 0.036 (Water Table Outside Tank) ☐ 0.049 (Brine Filled DW Tank) ☐ 0.000 (Double Wall Dry) ☐ 0.036 (Double Wall with Water in Outerwall)	= 0.0000	PSI(4)
Total Head Pressure Minus Outside Water Pressure		= 0.5460	+/-PSI(5)
Always add .5 PSI		= 1.0460	PSI(6)
NOTE: If Line 6 is less than .5 PSI, Line 7 shall be .5 PSI TEST PRESSURE		= 1.0460	PSI(7)

	TIME	PRESSURE (psi of vacuum)
BLOWER STARTED:	14:45	0.0000
TEST PRESSURE REACHED:	14:59	1.5100
BLOWER TURNED OFF:	15:02	1.4700
TEST BEGAN:	15:03	1.4500
TEST ENDED:	15:13	1.3200

Depth of Groundwater Determined:
By: Tank field observation well
Where: Next to tank(s) in tank backfill

WATER SENSOR CALIBRATION

Added (ml):	50.0000	50.0000	50.0000
	Cal #1	Cal #2	Cal #3
Average:	50.0000		

Water Intrusion Test Period: Began: 15:17 Ended: 15:33

Calculation for test period:

50.0000	/ 3780 =	0.0132	/ .05 X 60 =	15.8400 (min)
Ave. Cal.		"A" Factor		Time of Test

TANK SYSTEM

Product in Tank (inches):	21.0000
Water in Tank (inches):	0.0000
Tank top to grade (inches):	50.0000
Diameter (inches):	92
Bottom to grade (inches):	142.0000
Groundwater (inches):	0.0000

THE ACOUSTIC CHARACTERISTICS OF A LEAK REVEALS:

☑ TIGHT TANK
This underground storage tank PASSES the criteria set forth by the U.S. EPA

☐ ULLAGE (DRY) PORTION LEAK
This underground storage tank FAILS the criteria set forth by the U.S. EPA

☐ BELOW PRODUCT LEVEL (WET) PORTION LEAK
This underground storage tank FAILS the criteria set forth by the U.S. EPA

☐ Inconclusive

WATER SENSOR INDICATES:

☑ NO WATER INTRUSION
☐ WATER INTRUSION
☐ NOT APPLICABLE
☐ INCONCLUSIVE

	Serial:	Calibration Expiration:
Water Sensor Display:	WSD9132	2016-03-30
Water Sensor Probe:	P0903802	2016-03-30
Acoustic Signal Processor:	E1139019	2016-03-30
In-Tank Microphone:	M11521013	2016-03-30
Digital Pressure Sensor:	L001012	2016-03-30
Analog Vacuum Gauge:	NG9726824	2016-03-30

Crompco, LLC	**Delta**	510 Uniondale Ave.	**Facility/Agency Copy**
1815 Gallagher Road	**Phone:** (610) 278-7203	Uniondale, NY 11553	Site #36834 / WO #446351
Plymouth Meeting, PA 19462	**FAX:** 610-278-7621	**State ID:** 36834	Wed Dec 2nd, 2015

Petro Tite Line Test

Line Number:	55581
Grade:	Regular
Material:	Fiberglass
Line Length:	35 ft.
Diameter:	2 in.
Testing Line Length:	35
Dispenser Range	1-4
Wall:	Single
Pump Manufac:	Red Jacket
Type of System:	☐ American Suction ☑ Pressure

Net Volume Change:	0.00000 gph
Bleedback	
(PL X Ba) + (FC X Bb) + B = N	
(35 x 0.00000) + (3 x 0.006) + 0.05 = 0.068 gals	
Allowable (gal):	0.068
Measured (gal):	0.02700
Result:	☑ Pass ☐ Fail ☐ Inconclusive

Time	Procedure	Pressure (psi)		Volume (gal)			Comments
		Before	After	Before	After	Change	
10:30	Connected line tester to: Shear Valve Port	0.0	0.0	0.0000	0.0000		
10:45	Started line test	0.0	50.0	0.0000	0.0140	N/A	
11:00	Line Test Continued	50.0	50.0	0.0140	0.0140	0	
11:15	Line Test Continued	50.0	50.0	0.0140	0.0140	0	
	Bleed Back	50.0	0.0	0.0140	0.0410	0.027	

Petro Tite Line Test

Line Number:	55583
Grade:	Premium
Material:	Fiberglass
Line Length:	45 ft.
Diameter:	2 in.
Testing Line Length:	45
Dispenser Range	1-4
Wall:	Single
Pump Manufac:	Gilbarco
Type of System:	☐ American Suction ☑ Pressure

Net Volume Change:	0.00000 gph
Bleedback	
(PL X Ba) + (FC X Bb) + B = N	
(45 x 0.00000) + (3 x 0.006) + 0.05 = 0.068 gals	
Allowable (gal):	0.068
Measured (gal):	0.03000
Result:	☑ Pass ☐ Fail ☐ Inconclusive

Time	Procedure	Pressure (psi)		Volume (gal)			Comments
		Before	After	Before	After	Change	
10:30	Connected line tester to: Shear Valve Port	0.0	0.0	0.0000	0.0000		
10:45	Started line test	0.0	50.0	0.0000	0.0320	N/A	
11:00	Line Test Continued	50.0	50.0	0.0320	0.0320	0	
11:15	Line Test Continued	50.0	50.0	0.0320	0.0320	0	
	Bleed Back	50.0	0.0	0.0320	0.0620	0.03	

Crompco, LLC
1815 Gallagher Road
Plymouth Meeting, PA 19462

Delta
Phone: (610) 278-7203
FAX: 610-278-7621

510 Uniondale Ave.
Uniondale, NY 11553
State ID: 36834

Facility/Agency Copy
Site #36834 / WO #446351
Wed Dec 2nd, 2015

Line Leak Detector Test	
Leak Detector Number:	55581
Grade:	Regular
Dispenser Range:	1-4
Make:	Red Jacket
Model:	FX1
Serial #	0611964547
☑ Mechanical ☐ Electronic ☐ Interstitial Sensor	
Equipment Information (where test was conducted):	1/2
Submersible Pump Operating Pressure (psi):	26
Check Valve Holding Pressure (psi):	16
Bleedback Check (gal):	.0100
Mechanical Line Leak Detector Step-Through Time (seconds): **Note: not applicable for electronic line leak detectors	3
Metering Pressure (The pressure at which the mechanical leak detector is in leak sensing position):	10
During actual testing, when simulated leak is induced. The mechanical line leak detector stays in leak search position or the electronic line leak detector sets off an alarm as required by the manufacturer (Yes = pass), (No = fail):	☑ Yes ☐ No
Result: ☑ Pass ☐ Fail ☐ Inconclusive	
Test is conducted by simulating a calibrated 3.0 GPH at 10 psi leak on the product line.	

Line Leak Detector Test	
Leak Detector Number:	55583
Grade:	Premium
Dispenser Range:	1-4
Make:	Red Jacket
Model:	FX1V
Serial #	303133020
☑ Mechanical ☐ Electronic ☐ Interstitial Sensor	
Equipment Information (where test was conducted):	1/2
Submersible Pump Operating Pressure (psi):	26
Check Valve Holding Pressure (psi):	18
Bleedback Check (gal):	.0110
Mechanical Line Leak Detector Step-Through Time (seconds): **Note: not applicable for electronic line leak detectors	3
Metering Pressure (The pressure at which the mechanical leak detector is in leak sensing position):	11
During actual testing, when simulated leak is induced. The mechanical line leak detector stays in leak search position or the electronic line leak detector sets off an alarm as required by the manufacturer (Yes = pass), (No = fail):	☑ Yes ☐ No
Result: ☑ Pass ☐ Fail ☐ Inconclusive	
Test is conducted by simulating a calibrated 3.0 GPH at 10 psi leak on the product line.	

Crompco, LLC **1815 Gallagher Road** **Plymouth Meeting, PA 19462**	**Delta** **Phone:** (610) 278-7203 **FAX:** 610-278-7621	510 Uniondale Ave. Uniondale, NY 11553 **State ID:** 36834	**Facility/Agency Copy** Site #36834 / WO #446351 Wed Dec 2nd, 2015

Dispenser Shear Valve Inspection

Overall Result: P			
Product Shear Valves that do not operate properly:			
Product Shear Valves that are not installed/mounted properly:			

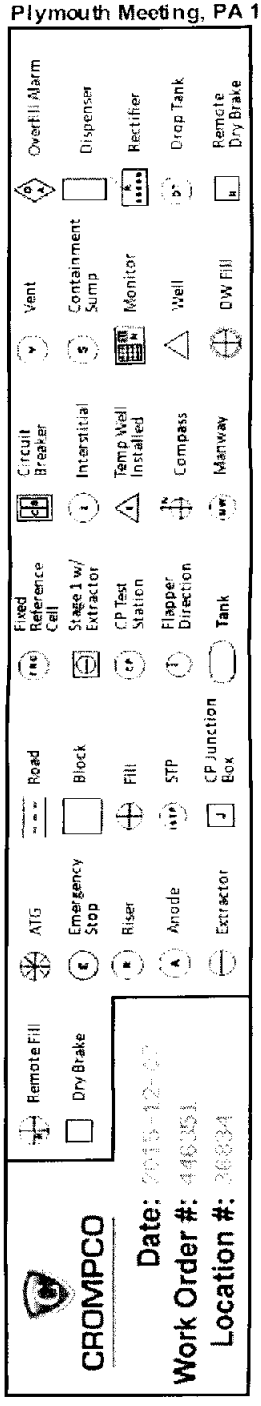
Dispenser #	Product	Shear Valve Make	Operating Properly	Installed/Mounted Properly	Capped Shear Valve?	Comments
1/2	Regular	OPW	Yes	Yes	☐	
1/2	Premium	OPW	Yes	Yes	☐	
3/4	Regular	OPW	Yes	Yes	☐	
3/4	Premium	OPW	Yes	Yes	☐	

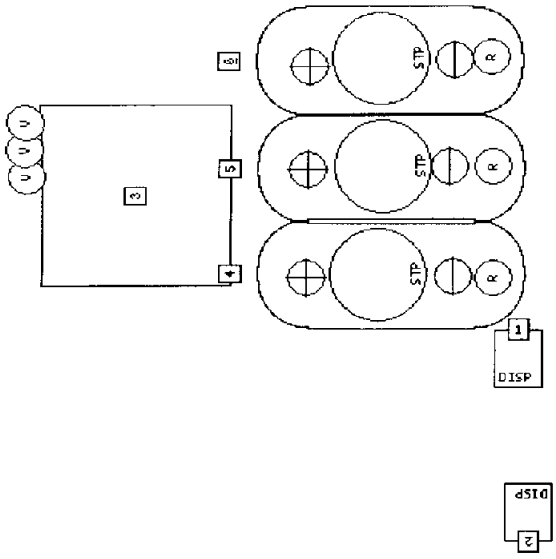
Crompco, LLC
1815 Gallagher Road
Plymouth Meeting, PA 19462

Delta
Phone: (610) 278-7203
FAX: 610-278-7621

510 Uniondale Ave.
Uniondale, NY 11553
State ID: 36834

Facility/Agency Copy
Site #36834 / WO #446351
Wed Dec 2nd, 2015





Crompco, LLC	**Delta**	510 Uniondale Ave.	**Facility/Agency Copy**
1815 Gallagher Road	**Phone:** (610) 278-7203	Uniondale, NY 11553	Site #36834 / WO #446351
Plymouth Meeting, PA 19462	**FAX:** 610-278-7621	**State ID:** 36834	Wed Dec 2nd, 2015

Site Diagram Labels

1: Dispenser - 1/2

2: Dispenser - 3/4

3: Block - Delta

4: Tank - REG. 6 K 55581

5: Tank - REG 6 K 55582

6: Tank - PREM. 6 K 55583

7: Road - Uniondale ave

CROMPCO

IMPORTANT LEGAL DOCUMENTS

December 14th, 2015

Delta #36834
510 Uniondale Ave.
Uniondale, NY 11553

Re.
2015 Compliance Test Results
Crompco Work Order #446351
Test Performed on Wed Dec 2nd, 2015

Dear Manager (Facility #36834):

Enclosed are the 2015 Compliance Test Results for testing performed by Crompco for Jerusalem Petroleum Corp. These test results are **important legal documents** that are required to be retained at your facility in the "Environmental Compliance Binder" in case an inspection would occur by a state or local agency. Upon receipt, please put the results in the binder as requested by Jerusalem Petroleum Corp.

The 2015 compliance tests performed at your facility are indicated below. For specific testing detail, please refer to the enclosed test report.

X	Tank(s)
X	Line(s) and/or Leak Detector(s)
	Cathodic Protection
	Monitor Inspection
	Vapor Recovery
X	Other (See Report for Details)

If you should have any questions regarding the test results enclosed, please contact Crompco at 1-800-646-3161.

Sincerely,

Francyne Klein
Compliance Administrator

CROMPCO

TEST RESULTS

December 14th, 2015

Nassau County
Office of the Fire Marshall
1194 Prospect Avenue
Westbury, NY 11590

Test Results - UST Testing

Dear Sir / Madam:

Enclosed are copies of the test results performed by Crompco at the location listed below. On behalf of our customer, these results are being submitted to you in accordance with local regulations. Copies of the test results were also sent to the facility to be retained at the location in case an inspection would occur by a state or local agency.

ID Numbers	Address	Test Date	Crompco Work Order	Test(s) Performed
Location: 36834 UST: 36834	510 Uniondale Ave. Uniondale, NY 11553	Wed Dec 2nd, 2015	446351	EZY-3 Locator Plus Shear Valve Petro-tite Line Leak Detector

If you should have any questions regarding the tests enclosed, please contact Crompco at 1-800-646-3161.

Sincerely,

Francyne Klein

Francyne Klein
Compliance Administrator

Work Ticket #: 446351
Address: 510 Uniondale Ave. Uniondale, NY 11553
Station #: 36834
Service Date: 12/02/2015

Parts Sold

Quantity Sold	Part Name	Manufacturer	Part #	Description
1	Fill Adaptor Non-Swivel	Universal	724CA-4040	4 in. Coaxil Fill
1	Leak Detector	Red Jacket	116-056-5	GAS

Service Details

Crompco was on site performing testing, repairs, calibration and/or inspections for the following reason:

Compliance

Comments

Gallons Pumped:

Site Arrival Time: 09:00:00 Site Depart Time: 16:00:00

Confirmation

By signing this verification you are agreeing that Crompco LLC performed various compliance testing and/or repairs and replaced parts as listed above.

Printed Name **Email** **Signature**

Eric

(●) Signature captured
( ) Refused to sign
( ) No one available to sign

Sacker, Paul

From: Sacker, Paul
Sent: Thursday, November 05, 2015 12:29 PM
To: 'Jo Cusumano'
Cc: Mcchesney, Dennis
Subject: RE: 510 Uniondale Ave., Uniondale, NY - NYSDEC Facility # NAU36834

Also – Please confirm that Mr. Adil Bayat is the owner/landlord of the property at 510 Uniondale Ave and your client. If this is not correct, please provide the owner's name so we can properly address future correspondence.

Paul M. Sacker
Senior Environmental Engineer
US EPA - UST Team
212 637 4237
sacker.paul@epa.gov

From: Sacker, Paul
Sent: Thursday, November 05, 2015 12:05 PM
To: 'Jo Cusumano' <jo_cusumano@optonline.net>
Cc: Mcchesney, Dennis <McChesney.Dennis@epa.gov>
Subject: RE: 510 Uniondale Ave., Uniondale, NY - NYSDEC Facility # NAU36834

Mr. Cusumano,

EPA will grant an extension to respond. An official letter will be issued this week stating so.

With regards to sending a letter to the operator, EPA typically deals with the tank owner. We suggest you share the letter with the tenant and ask that they cooperate in helping you submit the information requested. Provide us what you can by December 3.

Can you advise us if your client Adil Bayat has any relationship to Yayah Bayat of Farmingdale Gas Corp? Does your client own any other underground storage tanks?

Paul M. Sacker
Senior Environmental Engineer
US EPA - UST Team
212 637 4237
sacker.paul@epa.gov

From: Jo Cusumano [mailto:jo_cusumano@optonline.net]
Sent: Wednesday, November 04, 2015 4:58 PM
To: Sacker, Paul <Sacker.Paul@epa.gov>
Subject: 510 Uniondale Ave., Uniondale, NY - NYSDEC Facility # NAU36834

Please see letter attached regarding the above-referenced matter. Thank you.

Jo Cusumano
Robinson & Associates, PC
35 Roosevelt Avenue

Sacker, Paul

From: Sacker, Paul
Sent: Thursday, November 05, 2015 12:05 PM
To: 'Jo Cusumano'
Cc: Mcchesney, Dennis
Subject: RE: 510 Uniondale Ave., Uniondale, NY - NYSDEC Facility # NAU36834

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Paul M. Sacker
Senior Environmental Engineer
US EPA - UST Team
212 637 4237
sacker.paul@epa.gov

From: Jo Cusumano [mailto:jo_cusumano@optonline.net]
Sent: Wednesday, November 04, 2015 4:58 PM
To: Sacker, Paul <Sacker.Paul@epa.gov>
Subject: 510 Uniondale Ave., Uniondale, NY - NYSDEC Facility # NAU36834

Please see letter attached regarding the above-referenced matter. Thank you.

Jo Cusumano
Robinson & Associates, PC
35 Roosevelt Avenue
Syosset, NY 11791
(516) 496-9044
(516) 496-9047 facsimile

Sacker, Paul

From: Jo Cusumano <jo_cusumano@optonline.net>
Sent: Wednesday, November 04, 2015 4:58 PM
To: Sacker, Paul
Subject: 510 Uniondale Ave., Uniondale, NY - NYSDEC Facility # NAU36834
Attachments: Bayat - 510 Uniondale Ave., Uniondale, NY.pdf

Please see letter attached regarding the above-referenced matter. Thank you.

Jo Cusumano
Robinson & Associates, PC
35 Roosevelt Avenue
Syosset, NY 11791
(516) 496-9044
(516) 496-9047 facsimile

Kenneth L. Robinson, Esq.
ROBINSON & ASSOCIATES, P.C.
Attorneys at Law
35 Roosevelt Avenue
Syosset, New York 11791
1(516)496-9044
Fax: 1(516) 496-9047
ENVLAW516@AOL.COM

e-mail: sacker.paul@epa.gov

November 4, 2015

Dennis J. McChesney, Ph.D, MBA, Team leader
UST Team
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, NY 10007-1866
Attn. Paul Sacker

Re: Delta Hempstead Blvd. Petroleum Corp.
510 Uniondale Avenue
Uniondale, NY
NYSDEC Facility ID# NAU36834

Dear Mr. Sacker:

We are the attorneys for the owner of the property located at 510 Uniondale Avenue, Uniondale, New York. My client only received today, from the tenant, the October 22, 2015 Request for Information. Mr. Bayat is not the Manager of the gasoline service station at issue and has no affiliation with Delta Hempstead Blvd. Petroleum Corp. We will be demanding that the Tenant/operator fully respond to the Request for Information. Accordingly, I am requesting that the deadline to respond to the Request for Information be extended to and include December 3, 2015, in order for us to ensure that the Tenant fully complies.

The Tenant is Hempstead Boulevard Petroleum Corp. The President of the Tenant and operator of the station is Eric Burshtein. The Tenant is responsible, to the Landlord, for compliance with the applicable rules and regulations. We also request that you issue a Request for Information to Mr. Burshtein at the service station, since he should be in possession of most of the information and documents requested. A demand from your agency should assist us in obtaining full cooperation from the Tenant.

Thank you for your consideration of this request.

Respectfully submitted,

Kenneth L. Robinson, Esq.

KLR:jc
cc: Adil Bayat

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

OCT 2 2 2015

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
Article Number: 7015 1520 0003 0791 0061

Adil Bayat, Manager
Delta Hempstead Blvd. Petroleum Corp.
510 Uniondale Ave.
Uniondale, NY 11553

Re: Request for Information Pursuant to Section 9005 of the Solid Waste Disposal Act, as amended **RCRA-UST-IR-16-002**
Delta Hempstead Blvd. Petroleum Corp.
510 Uniondale Ave.
Uniondale, NY
NYSDEC Facility ID# NAU36834

Dear Mr. Bayat:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of human health and the environment under the Solid Waste Disposal Act, as amended (often referred to as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§6901 et seq.). On or about October 22, 2014, EPA contractors conducted an underground storage tank (UST) inspection of the facility(s) listed above in accordance with Section 9005(a) of RCRA, 42 U.S.C. §6991d(a), and 40 C.F.R. §280.34.

In addition, Section 9005(a) of RCRA, 42 U.S.C. §6991d(a), and 40 C.F.R. §280.34 authorizes EPA to require from the owners and operators of UST systems to submit certain information to enable EPA to determine the status of compliance with Subtitle I of RCRA, as amended, 42 U.S.C. § 6991 et seq., and the regulations promulgated pursuant thereto and set forth at 40 C.F.R. Part 280.

On October 22, 2014 an EPA contract inspector conducted a UST inspection at Delta Hempstead Blvd. Petroleum Corp., 510 Uniondale Ave., Uniondale, NY. The inspector observed the following:

40 C.F.R. 280.41(a): Potential failure to conduct release detection monitoring for an UST system.

40 C.F.R. 280. 44(a): Potential failure to provide annual testing of line leak detector system for underground pressurized lines.

40 C.F.R. 280. 93(a): Potential failure to provide proof of third party financial responsibility requirements of UST systems.

As the owner and/or operator of a federally regulated UST system(s), you are hereby required to submit within thirty (30) calendar days information for the Underground Storage Tank (UST) systems located at the facility known as Delta Hempstead Blvd. Petroleum Corp. at 510 Uniondale Ave.,

Uniondale, NY. The EPA requests the information outlined in Enclosure II, pursuant to Section 9005(a) of the Solid Waste Disposal Act (often referred to as RCRA), 42 U.S.C. § 6991d(a), and 40 CFR § 280.34. This information is necessary to determine whether the UST systems are being operated in compliance with Subtitle I of RCRA, as amended, 42 U.S.C. §§ 6991 et seq., and the regulations promulgated pursuant thereto and set forth at 40 C.F.R. Part 280.

Requests for additional time must be justified, and must be requested within five (5) calendar days of your receipt of this letter. The response or request for additional time must be submitted to the following addressee:

Dennis J. McChesney, Ph.D, MBA, Team Leader
UST Team
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, NY 10007-1866
Attn: Paul Sacker

An officer or agent who is authorized to respond on behalf of the owner and/or operator of the UST systems identified above must complete and sign the attached Certification page (Enclosure III), and return it with the response to this Request for Information.

Subject to 40 C.F.R. Part 2, a business confidentiality claim covering all or part of the information herein requested can be asserted by placing a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential" on the information at the time it is submitted. The claim should set forth the information requested in 40 C.F.R. Section 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. EPA may, at its discretion, evaluate the confidentiality claim pursuant to procedures set forth at 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This request for information is not subject to the requirements of the Paperwork Reduction Act as amended by 44 U.S.C. 3501 et seq.

If you have any questions concerning the information requested, please contact Paul Sacker at (212) 637-4237 or by e-mail at sacker.paul @epa.gov. I urge your prompt attention to this matter.

Sincerely,

Dennis J. McChesney, Dir

Leonard Voo, Chief
RCRA Compliance Branch
Division of Enforcement and Compliance Assistance

Enclosures

cc: Ajay Shah, P.E.
Acting Regional Director
DEC Region 1
50 Circle Road
Stony Brook, NY 11790-3409

Lawrence E. Eisenstein MD, FACP (w/Enclosure)Commissioner of Health
Nassau County Department of Health
200 County Seat Drive
Mineola, NY 11501

Scott D. Tusa (w/Enclosure)
Chief Fire Marshal
Nassau County Fire Marshal's Office
1194 Prospect Ave.
Westbury, NY 11590

ENCLOSURE I

INSTRUCTIONS AND DEFINITIONS

In responding to this Request for Information, apply the following instructions and definitions:

1. Unless indicated otherwise, all questions should be answered, at minimum, for the twelve month time period preceding October 22, 2014 (i.e., prior to commencement of the inspection) and ending on the date of receipt of this letter. Where the request is for copies of corrosion test results, refer to the number of tests requested and not the 12 month time period. Financial Responsibility information is required to be maintained from the date that a regulated substances is introduced into an UST until it is permanently closed.

2. Respond completely to each question in the order that it is asked in this Request for Information. For each document provided, indicate on the document(s) the number of the question to which it applies.

3. The signatory should be an officer or agent who is authorized to respond on behalf of the owner and/or operator of the USTs subject to this Request for Information. The signatory must sign and date the attached Certification of Answers (Enclosure III) and submit it to EPA with the response. If the response is provided in more than one submittal, a signed and dated Certification of Answers must be provided with each submittal.

4. In preparing your response to each question, consult with all present and former employees and agents of the company or facility who you have reason to believe may be familiar with the matter to which the question pertains.

5. In answering each question, identify all contributing sources of information.

6. It is your responsibility to try to obtain any information pertinent to any question. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.

7. If you cannot provide a precise answer to any question, approximate and provide the reason for your inability to be specific.

8. If anything is deleted from a document provided in response to the Request for Information, state the reason for and the subject matter of the deletion.

9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.

10. Underground storage tank or UST shall be defined, for the purposes of this Request for Information, as any one or combination of tanks (including pipes connected thereto) that is used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground. See 40 C.F.R. §280.12.

11. Underground storage tank system or UST system shall be defined, for the purposes of this Request for Information, as an underground storage tank, connected underground piping, underground ancillary equipment, and containment system, if any. See 40 C.F.R. §280.12.

12. Facility, for the purposes of this information request, is defined as the property on which USTs are or were previously located.

13. Owner shall be defined, for the purposes of this Request for Information, as any person who owns an UST system used for storage, use, or dispensing of regulated substances. See 40 C.F.R. §280.12.

14. Operator shall be defined, for the purposes of this Request for Information, as any person in control of, or having responsibility for, the daily operation of an UST system. See 40 C.F.R. §280.12.

15. Unless indicated otherwise, each question must be answered for the federally-regulated UST systems located at Delta Hempstead Blvd. Petroleum Corp., 510 Uniondale Ave., Uniondale, NY.

ENCLOSURE II

INFORMATION REQUEST

All information requested by EPA pertains to the USTs owned or operated by Delta Hempstead Blvd. Petroleum Corp. and/or affiliated organizations. Submit the information in the order presented below.

UST Owner/ Operator History

1. Provide a complete list of the names, addresses and telephone numbers of all entities that own the facility(s) referenced in this letter.

2. Provide a complete list of the names, addresses and telephone numbers of all entities that own and/or operate the UST systems located at the facility(s) referenced in this letter.

3. Provide a complete list of all the facilities that are owned and/or operated by United Gas Corp., its parent, affiliates, subsidiaries, or which share corporate officers with United Gas Corp. and which contain federally-regulated UST systems. For each such facility indicate the address of the facility at which the USTs are located, the number of UST systems, and each facility's UST registration number.

4. Provide the month/day/year that the current owner and/or operator acquired ownership and/or began operation of each UST system located at the facilities identified in your response to Question #3. Specify owner and/or operator status, whichever is applicable.

5. Provide the names and addresses of other entities that currently own and/or operate UST systems, or which have owned or operated UST systems, at the facilities identified in your response to Question #3.

6. Describe the legal relationship between the owner of the property and the owner and operator of the USTs at each facility identified in your response to Question #3. Provide documentation supporting your statements.

General UST Information

7. Provide copies of the most recent UST registration application (required to be provided to the State or local authority that regulates USTs) and copies of the current registration certifications.

8. Provide a plan showing the locations and manifold configurations, if any, of all federally-regulated USTs at the facility.

9. Provide the day, month, and year that each UST was installed.

10. Provide the capacity of each UST and indicate the regulated substances currently stored, or which were stored, in each UST. Include the results of any test conducted to determine if the contents of any UST are subject to regulation under Subtitle C of RCRA.

11. Provide the construction material of tank and piping for each UST system, and the name of the manufacturer of each part of the UST system.

12. If the UST(s) is metal, in response to question #11, submit documentation on corrosion protection and the last system test.

13. Indicate whether each UST pumping system operates provides product from tanks to dispensers under pressure or suction. If the system operates using a suction system, indicate whether the configuration is "American" or "European". If European, provide documentation such as "as built" licensed professional engineer's signed drawings documenting the system configuration (slope of piping, location of pump and valves).

Overfill, Spill, and Corrosion Protection

14. **Describe the overfill and spill prevention procedures** and/or equipment used to ensure overfilling and spilling do not occur. Verify that the overfill and spill prevention system maintains integrity and is operable.

15. If the UST(s) stores waste oil, indicate how the UST(s) is filled.

16. For each UST and pipe system that are made of unprotected metal, state the type of corrosion protection (i.e., cathodic protection via sacrificial anode; impressed current; or interior lining) used for each component. Provide copies of the last two corrosion surveys.

Leaks and Leak Detection

17. Provide for each UST the method(s) of leak detection used to comply with the leak detection regulations found in 40 C.F.R. §280.40 to § 280.45, including:

    (a) A detailed description of how the leak detection method(s) is implemented;

    (b) Records demonstrating that the leak detection was implemented during the last 12 months; and

    (c) If the leak detection method is Automatic Tank Gauging (ATG) per 40 C.F.R. §280.43(d), also provide the manufacturer and model of the ATG along with a description of its capabilities.

    (d) If the leak detection method is groundwater monitoring, please indicate whether the monitoring wells meet the Federal requirements and standards for test wells.

    Note 1. During the October 22, 2014 inspection of the UST's located at Delta, Farmingdale facility at 510 Uniondale Ave., Uniondale, NY, the inspector

observed that groundwater monitoring was being used for monthly release detection for the tanks. However, the inspector was unable to verify that the groundwater monitoring system was designed in accordance with federal regulations. To determine if this system complies with the requirements of ground water monitoring as required by 40 C.F.R. §§ 280.41(a) and 280.43(f), please provide documentation that:

1.) **Ground water is never more than 20 feet from the ground surface and the hydraulic conductivity of the soil(s) between the UST system and the monitoring wells or devices is not less than 0.01 cm/sec (e.g., the soil should consist of gravels, coarse to medium sands, coarse silts or other permeable materials);**

2.) **The slotted portion of the monitoring well casing is designed to prevent migration of natural soils or filter pack into the well and to allow entry of regulated substance on the water table into the well under both high and low ground-water conditions;**

3.) **Monitoring wells are sealed from the ground surface to the top of the filter pack;**

4.) **Monitoring wells or devices intercept the excavation zone or are as close to it as is technically feasible;**

5.) **The continuous monitoring devices or manual methods used can detect the presence of at least one-eighth of an inch of free product on top of the ground water in the monitoring wells;**

6.) **Within and immediately below the UST system excavation zone, the site has been professionally assessed to ensure compliance with the requirements in 40 C.F.R. 280.43(f) and to establish the number and positioning of monitoring wells or devices that will detect releases from any portion of the tank that routinely contains product; and**

7.) **Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering.**

If you cannot provide the above documentation, please state so, and explain why you cannot provide the documentation. Also, if you utilize another form of release detection, please provide us evidence of such a system and provide that last twelve months of release detection records from it.

18. If release detection is conducted by manual tank gauging (stick readings) and tank tightness testing as per 40 C.F.R. §280.41, and the following information was not provided in response to Question # 17, provide for each UST copies of all for the past 12 months:

    (a) Stick reading records;

    (b) Delivery receipts;

(c) A copy of the tank conversion charts (used to convert stick readings into gallons);

(d) Tank inventories measured before and after delivery;

(e) Monthly reconciliation calculations; and

(f) The most recent tank tightness test results.

19. Provide all information pertaining to known or suspected releases between December 22, 1988, and the date of your response, including, at a minimum, the following information: All recorded alarms (false or otherwise) from leak detection systems, from any of the UST systems;

(a) Verification that the state implementing agency or the National Spill Response Center were notified of the suspected release(s);

(b) Actions taken to investigate the suspected release(s);

(b) Corrective actions taken with respect to confirmed releases; and

(c) Include any sampling analysis results and all State documentation such as release notifications and federal, State, or local government correspondence related to suspected or confirmed release(s).

Leak Detection for Pipes.

20. If any of the USTs contain pressurized fuel pipes provide documentation showing that the fuel pipes are equipped with an automatic line leak detector.

(a) Describe the type of leak detector used, and if applicable, provide copies of records showing that the line leak detectors have been tested during the past twelve months, and

Note 2: During the October 22, 2014 inspection of the UST's located at the facility at 510 Uniondale Ave. Uniondale, NY, the inspector was unable to verify the required annual line leak detector test for each pressurized line. **Please provide documentation that this test was performed during the period from October 22, 2013 through October 22, 2014. If you cannot provide the above documentation, please state so, and explain why you cannot provide the documentation.**

(b) Either show that the fuel pipes have had an annual line tightness test which is able to detect a 0.1 gallon per hour leak rate at one and one-half times the operating pressure, or has monthly monitoring such as, secondary containment with interstitial monitoring, vapor monitoring, groundwater monitoring, statistical inventory reconciliation (SIR), or any other method approved by a State or local authority NYSDEC.

Note 3: During the October 22, 2014 inspection of the UST's located at the facility at 510 Uniondale Ave., Uniondale, NY, the inspector observed that the

groundwater monitoring was being used for monthly release detection for the pressurized lines. However, the inspector was not provided twelve months of monitoring records from the groundwater monitoring system nor was he provided, as an alternative, an annual line tightness testing for each pressurized line. **Therefore, if you have not already done so in response to Question 17(d) above, please provide documentation of compliance with EPA regulations for monthly leak detection of the underground pressurized pipes for the period of (at least every 30 days) October 22, 2013 through the present or, as an alternative, provide documentation of a line tightness test for each pressurized line between October 22, 2013 through October 22, 2014. If you are unable to demonstrate compliance, please state so and explain why you are unable to provide such documentation.**

21. If any of the USTs contain American suction (i.e., non-exempt) fuel pipes provide documentation showing that the fuel pipes have had an annual line tightness test which is able to detect a 0.1 gallon per hour leak rate at one and one-half times the operating pressure, or has monthly monitoring such as, secondary containment with interstitial monitoring, vapor monitoring, groundwater monitoring, statistical inventory reconciliation (SIR), or any other method approved by a State or local authority (NYSDEC, or NCFMO, respectively).

Closure

22. If any UST system was temporarily closed or out of service between December 22, 1988 and the date of your response provide:
    (a) The date the UST was temporary closed or taken out of service;
    (b) The period of time that the UST was closed or out of service; and
    (c) Whether the UST system was "empty", as defined by 40 C.F.R. §280.70(a), during the period of temporary closure.

23. If any UST system is permanently closed, or if there was a change in service from regulated to non-regulated substances, provide:
    (a) The date of permanent closure or the change in service; and
    (b) A copy of the site assessment report required by 40 C.F.R. §280.72.

UST Maintenance

24. Describe how each UST is maintained (e.g., how is an UST cleaned when cleaning is required, who is responsible for initiating the cleaning, who performs the cleaning, etc.).

25. If any tank has been cleaned of sediments or scaled, provide for each cleaned tank:
    (a) The date of cleaning;

(b) The name of the company that performed the cleaning;

(c) The volume of waste liquid generated by the cleaning operation; and

(d) Results of any Toxicity Characteristic Leaching Procedure (TCLP) test (EPA test method 1311) conducted on the material cleaned from the tanks to make a hazardous waste determination.

Financial Responsibility

26. Provide documentation of compliance with federal regulatory financial responsibility (insurance) requirements (40 C.F.R. §280 Subpart H) in case of a release from an UST, including coverage for third party bodily injury.

> **Note 4:** During the October 22, 2014 inspection of the facility at 510 Uniondale Ave., Uniondale, NY, the inspector was not provided with evidence of third party financial responsibility in the event of a release from a UST. Therefore, please provide documentation of compliance with EPA regulations for third party financial responsibility at the time of inspection up to the date of the response to this letter. If you are unable to demonstrate compliance, please state so and explain why you are unable to provide such documentation.

ENCLOSURE III

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in response to EPA's Request for Information, and all documents submitted herewith; that the submitted information is true, accurate, and complete; and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

_____ _____

NAME (print or type) DATE

_____

SIGNATURE

_____

TITLE

_____

COMPANY

(a)(1) For owners or operators of petroleum underground storage tanks that are located at petroleum marketing facilities, or that handle an average of more than 10,000 gallons of petroleum per month based on annual throughput for the previous calendar year; $1 million.

Pursuant to 40 CFR 280.93(b)(1) For owners or operators of 1 to 100 petroleum underground storage tanks, $1 million;

Pursuant to 40 CFR 280.93(d)(2) and (3)

(2) Compensating third parties for bodily injury and property damage caused by sudden accidental releases; or

(3) Compensating third parties for bodily injury and property damage caused by nonsudden accidental releases, the amount of assurance provided by each mechanism or combination of mechanisms must be in the full amount specified in paragraphs (a) and (b) of this section.

Inspector Blair noted in his report, "Awaiting tank insurance policy."

The New York Environmental Protection and Spill Compensation Fund (the "Oil Spill Fund") allows for petroleum marketing firms owning 99 or fewer tanks at more than one facility to use the Oil Spill Fund to meet the federal requirements for a financial responsibility mechanism for the purposes of corrective action. However, the petroleum marketing firm is still responsible for providing a financial responsibility mechanism to cover third party bodily injury and property damage pursuant to 40 CFR 280.93(d)(2) and (3).

Fuel? Need IRL to determine if GW wells meet fed requirements in 280.93 below locality or we cite this locality for 45 or 46(a) for 93(a) & 44(a)

Note: IF GW monitoring at this facility lines as well as tanks!

10/22/14 Delta Hmpstd Fac 36834

3 USTs -   FRP
+ spill bkts   no overfill
press pipe   FRP -

20c1ii/21d

Tanks   + gd H2O
9/12 monthly RD

45

Pipe   + ALLD - No annual test
no Annual LTT -
9/12 monthly LD

44a
~~41b1ii~~

CP   NA

Fins   none

93a

Violations

20c1ii/21d
45
44a
41b1ii
93a

IRL?

Inspection states GW < 20ft deep -

NAU 36834

United States Environmental Protection Agency (EPA)
Region 2
290 Broadway
New York, NY 10007-1866

Underground Storage Tank (UST) Inspection Form

INSPECTOR NAME(S): JEFF BLAIR **DATE:** 10/22/14

SIC CODE: **ICIS #:** 3600002733

I. Location of Tank(s) ☐ Tribal

Facility Name: DELTA ITEMP STEAD BLVD PETROLEUM CORP.
Street Address: 510 UNIONDALE AVE
City: UNIONDALE State: NY Zip Code: 11553
County: NASSAU
Phone Number: (516) 538-2975 Fax Number:
Contact Person(s): MUNIR AKARSU, EMPLOYEE

II. Ownership of Tank(s) ☑ same as location (I.)

Owner Name: UNITED GAS CORP.
Street Address:
City: State: Zip Code:
County:
Phone Number: Fax Number:
Contact Person(s): ADIL BAYAT, MGR.

IIA. Ownership of Other Facilities

☐ Do you own other UST Facilities **Yes** / ~~**No**~~

If Yes, How many Facilities _____ How many USTs _____

III. Notification

☐ Notification to implementing agency; name NASSAU CO FIRE (EFFECTIVE THROUGH 03/31/15)
State Facility ID # NAU 36834

IV. Financial Responsibility AWAITING TANK INSURANCE POLICY

☐ State Fund _____ ☐ Private Insurance: Insurer/Policy # _____
☐ Guarantee ☐ Surety Bond ☐ Letter of Credit
☐ Local Government ☐ Self Insured ☐ **Not Required** (Federal & State government, hazardous substance USTs)

V. Release History N/A ☑

☐ To your knowledge, are there any public or private Drinking Water Wells in the vicinity ? **Yes** / **No**

☐ Evidence of release or spills at facility ☐ Greater than 25 gallons (estimate)
☐ **Releases reported to implementing agency; if so, date(s)** _____ [280.53]
☐ Release confirmed; when and how _____
☐ Initial abatement measures and site characterization ☐ Free product removal
☐ Soil or ground water contamination ☐ Corrective action plan submitted
☐ Remediation ongoing ☐ Remediation completed, no further action; date(s) _____

Notes: ✓

VI. Tank Information — Tank No.	55581	55582	55583			
Tank presently in use	YES →	→	→			
If not, date last used (see Section XII)						
If empty, verify 1" or less left (see Section XII)						
Capacity of Tank (gal)	6000 G →	→	→			
Substance Stored	PRE GAS	REG GAS →	→			
M/Y Tank installed / Upgraded	09/92 →	→	→			
Tank Construction: Bare steel, Sti-P3, Retrofitted sacrificial anode, Impressed Current, Composite, FRP, Interior lining, Vaulted, Double-walled (DW)	FRP →	→	→			
Spill Prevention	SPILL	BUCKETS →	→			
Overfill Prevention (specify type)	*NO* →	→	→			
Special Configuration: Compartmentalized , Manifolded	NO	MANIFOLDED →	→			

VII. Piping Information

Piping Type: Pressure, Suction	PRESSURE →	→	→			
Piping Construction: Bare steel, Sacrificial Anode, Impressed Current, Flex, FRP, Double-walled (DW)	FRP →	→	→			

Tank and Piping Notes:

TANKS ARE DUE TO BE REPLACED, AWAITING TOWN PAPERWORK

VIII. Cathodic Protection

N/A ☑

Integrity Assessment conducted prior to upgrade		↓	↓	↓			
Interior Lining:	Interior lining inspected						
Impressed Current	CP Test records						
	Rectifier inspection records						
Sacrifical Anode:	CP test records						

CP Notes:

NAD 30934

Tank No.	55581	55582	55583			
IX. UST system used solely by Emergency Power Generator	NO →	→	→			

X. Release Detection N/A ☐

Tank RD Methods	ATG						
	Interstitial Monitoring						
	Groundwater Monitoring	YES →	→	→			
	Vapor Monitoring						
	Inventory Control w/ TTT						
	Manual Tank Gauging						
	Manual Tank Gauging w/ TTT						
	SIR						
12 Months Monitoring Records (***Must*** *Make Available Last 12 Months For Compliance)*		NO →	→	→			

Tank RD Notes: **(State What Months Records Were Available, Describe Any Failures and Describe What Investigation Occurred Due to Failure)**

FOUND NO HISTORICAL GROUND WATER MONITORING RESULTS FOR PREVIOUS TWELVE MONTHS

PREVIOUS GW MONITORING RESULTS ON-SITE FOR 2004–2014

Pressurized Piping RD Methods		N/A ☐					
	Interstitial Monitoring						
	Groundwater Monitoring						
	Vapor Monitoring						
	SIR						
12 Months Monitoring Records							
	Annual Line Tightness Test	NO →	→	→			
ALLD	Present	YES →	→	→			
	Annual Test	NO →	→	→			

Piping RD Notes: **(State What Months Records Were Available, Describe Any Failures and Describe What Investigation Occurred Due to Failure)**

NO ON-SITE LEAK DETECTOR OR LINE TEST RESULTS

NAD 36934

XI. Repairs

N/A ☑

Repaired tanks and piping are tightness tested within 30 days of repair completion	**Y** ☐ **N** ☐ **Unknown** ☐
CP systems are tested/inspected within 6 months of repair of any cathodically protected UST system	**Y** ☐ **N** ☐ **Unknown** ☐
Records of repairs are maintained	**Y** ☐ **N** ☐ **Unknown** ☐

XII. Temporary Closure

N/A ☑

CP continues to be maintained	**Y** ☐ **N** ☐ **Unknown** ☐
UST system contains product and release detection is performed	**Y** ☐ **N** ☐ **Unknown** ☐
Cap and secure all lines, pumps, manways	**Y** ☐ **N** ☐ **Unknown** ☐

Notes:

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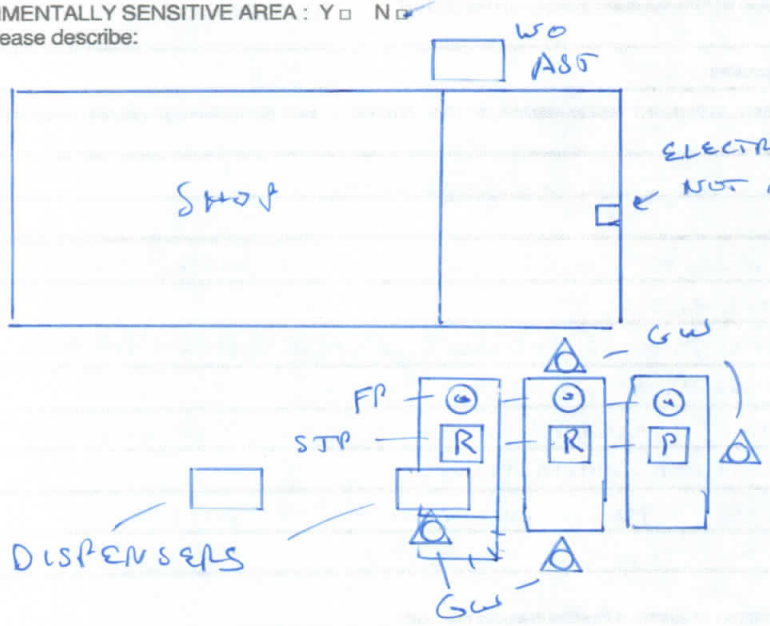
SITE DRAWING

DATE: 10/22/14 TIME ON SITE: 9:00 AM TIME OFF SITE: 10:20 AM

WEATHER: 55° + RAINING

ENVIRONMENTALLY SENSITIVE AREA : Y ☐ N ☑
If "Yes", please describe:



PHOTOS

315 FP PRE
316 STP PRE
317 FP REG
318 STP REG
319 FP REG
320 STP REG
321 FUEL PAD
322 ELECTRIC BOX
323 UST REG
324 SITE

322A GW LOC

GPS MAP USTs:
40.70259 'N
-73.59304 'W

☑ Pictures

Init/Date JKB 10/22/14

NAU 36934

THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 2 UST PROGRAM
Underground Storage Tank Team
New York, NY 10007-1866

DELTA HEMPSTEAD BLVD

Facility Name PETROLEUM CORP
Address 510 UNIONDALE AVE, UNIONDALE
UST Reg # NAU 36934

Inspector Observation Report

Inspection of Underground Storage Tanks (USTs)

□ No violations observed at the conclusion of this inspection.

□ The above named facility was inspected by a duly authorized representative of EPA Region 2, and the following are the inspector's observations and/or recommended corrective action(s):

Potential Violations Observed:

Regulatory Citation	Violation Description
§ 280.21(d)	POSSIBLE FAILURE TO PROVIDE OVERFILL PREVENTION SYSTEM
§	FOR AN EXISTING TANK
§ 280.41(b)(ii)	POSSIBLE FAILURE TO HAVE ANNUAL TIGHTNESS TEST OR PERFORM
§	MONTHLY MONITORING ON PRESSURIZED PIPING
§ 280.44(a)	POSSIBLE FAILURE TO PROVIDE ADEQUATE LINE LEAK DETECTOR
§	SYSTEM FOR UNDERGROUND PIPING
§ 280.45	POSSIBLE FAILURE TO MAINTAIN RECORDS OF RELEASE
§	DETECTION MONITORING

Actions Taken:
□ Field Citation; # _____ □ Additional information required □ On-site request/Due date _____

Comments/Recommendations:

- NO EVIDENCE OF OVERFILL PREVENTION FOUND ON-SITE
- NO ON-SITE LIVE TEST RESULTS
- NO ON-SITE LEAK DETECTOR RESULT
- NO HISTORICAL TANK RELEASE DETECTION RESULTS FOUND ON-SITE FOR PREVIOUS 12 MONTHS

Name of Owner/Operator Representative:

Munir Atarpur
(Please print)

(Signature)

Other Participants: _____

Name of EPA Inspector/representative

JEFFREY K BLAIR
(Please print)

Jeffrey K Blair
(Signature)

(Credential Number)

Date of Inspection 10/22/14 Time 10:20 AM/PM

Init/Date JKB 10/22/14

NAN 36834

Required Fields to be used for ICIS Only

Compliance Monitoring

Activity: UST Inspection

Inspection Conclusion Data Sheet

1) Did you observe deficiencies (preferred violations) during the on-site inspection? YES

Deficiencies observed: (Put an **X** for each observed deficiency)

X Potential failure to complete or submit a notification, report, certification, or manifest

X Potential failure to follow or develop a required management practice or procedure

X Potential failure to maintain a record or failure to disclose a document

X Potential failure to maintain/inspect/repair meters, sensors, and recording equipment

___ Potential failure to report regulated events, such as spills, accidents, etc.

2) If you observed deficiencies, did you communicate the deficiencies to the Facility during the inspection? **Yes / No**

3) Did you observe the Facility take any actions during the inspection to address the deficiencies noted? **Yes / No**

If yes, what actions were taken?

WILL SEARCH OFFICE FOR MISSING GW MONITORING REPORTS TO HAVE RESULTS AS WELL AS LEAK DETECTOR AND LINE TEST RESULTS

4) Did you provide general Compliance Assistance in accordance with the policy on the role of the EPA Inspector In providing Compliance Assistance during Inspections? **Yes / No**

5) Did you provide site-specific Compliance Assistance in accordance with the policy on the role of the EPA Inspector in providing Compliance Assistance during the inspection? **Yes / No**

Init/Date JKB 10/22/14

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Release Prevention Compliance Measures Matrix

Regulatory Subject Area	Measure #	SOC Measure / Federal Citation	In Compliance?		
			N/A	Y	N
I. Spill Prevention	1	Spill prevention device is present and functional. [280.20(c)(1)(i), 280.21(d)]		✓	
II. Overfill Prevention	2	Overfill prevention device is present and operational. [280.20(c)(1)(ii), 280.21(d)]			✓
		❑ Automatic shutoff is operational (ie., device not tampered with or inoperable) [280.20(c)(1)(ii)(A), 280.21(d)] ❑ Alarm is operational. [280.20(c)(1) (ii)(B), 280.21(d)] ❑ Alarm is audible or visible to delivery driver. [280.20(c)(1) (ii)(B), 280.21(d)] ❑ Ball float is operational. [280.20(c)(1)(ii)(B), 280.21(d)]			
III a. Operation and Maintenance	3	Repaired tanks and piping were tightness tested within 30 days of repair completion (not required w/internal inspections or if monthly monitoring is in use). [280.33(d)]	✓		
III b. Operation and Maintenance of Corrosion Protection	4	CP systems were tested/inspected within 6 months of repair of any cathodically protected UST system. [280.33(e)]	✓		
	5	Corrosion protection system is properly operated and maintained to provide continuous protection. [280.31(a)(b), 280.70(a)]	✓		
		❑ UST system (Choose one) ❑ UST in operation ❑ UST in temporary closure ❑ CP System is properly operated and maintained ❑ CP system is performing adequately based on results of testing. [280.31(b)]; - or - ❑ CP system tested within required period and operator is conducting or has completed appropriate repair in response to test results reflecting CP system not providing adequate protection.			

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Release Prevention Compliance Measures Matrix

Regulatory Subject Area	Measure #	SOC Measure / Federal Citation	In Compliance?		
			N/A	Y	N
III b. Operation and Maintenance of Corrosion Protection (Continued)	6	UST systems with impressed current cathodic protection are inspected every 60 days. [280.31(c)]	✓		
	7	Lined tanks are inspected periodically and lining is in compliance. [280.21(b)(1)(ii)]	✓		
IV. Tank and Piping Corrosion Protection	8	Buried metal tank and piping (which includes fittings, connections, etc.) is corrosion protected. [280.20(a), 280.20(b), 280.21(b), 280.21(c)]		✓	
		❑ Buried metal piping components (such as swing joints, flex-connector, etc.) are isolated from the soil or cathodically protected. For new USTs - tanks and piping installed after 12/22/88 [280.20(a), 280.20(b)]: ❑ Steel tank or piping is coated with suitable dielectric material and cathodically protected. [280.20(a)(2), 280.20(b)(2)] ☑ Tank is fiberglass, clad, or jacketed and piping is fiberglass or flexible plastic. [280.20(a)(1), 280.20(a)(3), 280.20(a)(5), 280.20(b)(1), 280.20(b)(4)] ❑ Records are available to document that CP is not necessary. [280.20(a)(4)(ii), 280.20(b)(3)(ii)] For existing USTs - tanks and piping installed on or before 12/22/88 [280.21(b), 280.21(c)]: ❑ Tank and piping meet new UST requirements [280.21(a)(1)] ❑ Steel tank is internally lined. [280.21 (b)] ❑ Metal tank and piping are cathodically protected. [280.21(b)(2), 280.21(c)]			

INSTALL DATE LISTED AS 08/92

Notes: N/A - Indicates that the measure is not applicable.
Any mark in the "N" (No) column means that the facility is not in Significant Operational Compliance (SOC) with Release Prevention Compliance Measures. In order for a compliance measure to be in SOC, all applicable check-box items must be in compliance.

Release Detection Compliance Measures Matrix

Instructions - To Determine Compliance Status of Measures #1-7,
Work Through the Worksheet "Commonly Used Release Detection Methods" Below.

Regulatory Subject Area	Measure #	SOC Measure/ Federal Citation	In Compliance?		
			N/A	Y	N
I. Release Detection Method Presence and Performance Requirements	1	Release detection method is present. [280.40(a)]		✓	
	2	Release detection system is operating properly (i.e., able to detect a release from any portion of the system that routinely contains product). [(280.40(a)(1)]		✓	
	3	Release detection system meets the performance standards at 280.43 or 280.44. [(280.40(a)(3)]		✓	
	4	Implementing agency has been notified of suspected release as required. [(280.40(b)]	✓		
		❑ Non-passing results reported and resolved in accordance with implementing agency's directions. [280.40(b)]			
II. Release Detection Testing	5	Tanks and piping are monitored monthly for releases and records are available (must have records for the two most recent consecutive months and for 8 months of the last 12 months). [280.41(a), and 280.45(b)]			✓
III. Hazardous Substance UST Systems	6	Hazardous substance UST system leak detection meets the requirements (i.e., either secondarily contained or otherwise approved by the implementing agency). [280.42(b)]	✓		
IV. Temporary Closure	7	Release detection requirements are complied with (i.e., method present, operational, releases investigated and reported as required) for UST systems containing product. [280.70(a)]	✓		

Worksheet - Commonly Used Release Detection Methods

Tank (Choose one)	Pressurized Pipe (Choose Two)	Non-exempt Suction Pipe (Choose one)	Release Detection Method
❑			**A. Inventory Control with Tank Tightness Testing (T.T.T)** ❑ Inventory control is conducted properly. ❑ T.T.T. performed as required (See "D" below). ❑ Inventory volume measurements for inputs, withdrawals, and remaining amounts are recorded each operating day and reconciled as required. [280.43(a)(1), 280.43(a)(3)] ❑ Equipment is capable of 1/8-inch measurement. [280.43(a)(2)] ❑ Product dispensing is metered and recorded within local standards for meter calibration to required accuracy. [280.43(a)(5)] ❑ Water is monitored at least monthly. [280.43(a)(6)]

Worksheet (Continued) - Commonly Used Release Detection Methods

Tank (Choose one)	Pressurized Pipe (Choose Two)	Non-exempt Suction Pipe (Choose one)	Release Detection Method
❑			**B. Automatic Tank Gauge (ATG)** ❑ ATG is set up properly. [280.40(a)(2)] ❑ ATG can detect a 0.2 gal/hr leak rate from any portion of the tank routinely containing product. [280.43(d)(1)] ❑ ATG is checking portion of tank that routinely contains product. [280.40(a)(1)]
❑			**C. Manual Tank Gauging (MTG)** ❑ Tank size is appropriate for using MTG. [280.43(b)(5)] ❑ Tanks 1001 gals (as per EPA memo) and greater restricted to use with T.T.T. (See "D" below) ❑ Method is being conducted correctly. [280.43(b)(4)] ❑ No liquid was added to or taken out of the tank during the test. [280.43(b)(1)] ❑ Equipment is capable of 1/8-inch measurement. [280.43(b)(3)]
❑	❑	❑	**D. Tightness Testing** (Safe Suction piping does not require testing) ❑ Testing method is capable of detecting a 0.1 gal/hr leak rate from any portion of tank routinely containing product. [280.43(c)] ❑ Tightness testing is conducted within specified time frames for method: ❑ **Tanks** - every 5 years [280.41(a)(1)] ❑ **Pressurized Piping** - annually [280.41(b)(1)(ii)] ❑ **Non-exempt suction piping** - every 3 years [280.41(b)(2)] ❑ Tightness testing is conducted following manufacturer's instructions. [280.40(a)(3)]
❑	❑	❑	**E. Ground Water or Vapor Monitoring** ☑ Ground water in the monitoring well is never more than 20 feet from the ground surface. [280.43(f)(2)] ❑ Vapor monitoring well is not affected by high ground water. [280.43(e)(3)] ❑ Site assessment has been done for vapor or ground water monitoring. [280.43(e)(6), 280.43(f)(7)] ❑ Wells are properly designed and positioned. [280.43(e)(6), 280.43(f)(7)]
❑	❑	❑	**F. Interstitial Monitoring** ❑ Secondary containment can be used to detect a release [280.43(g)(1)], 280.43(g)(2)] ❑ Sensor properly positioned. [280.40(a)(2)]

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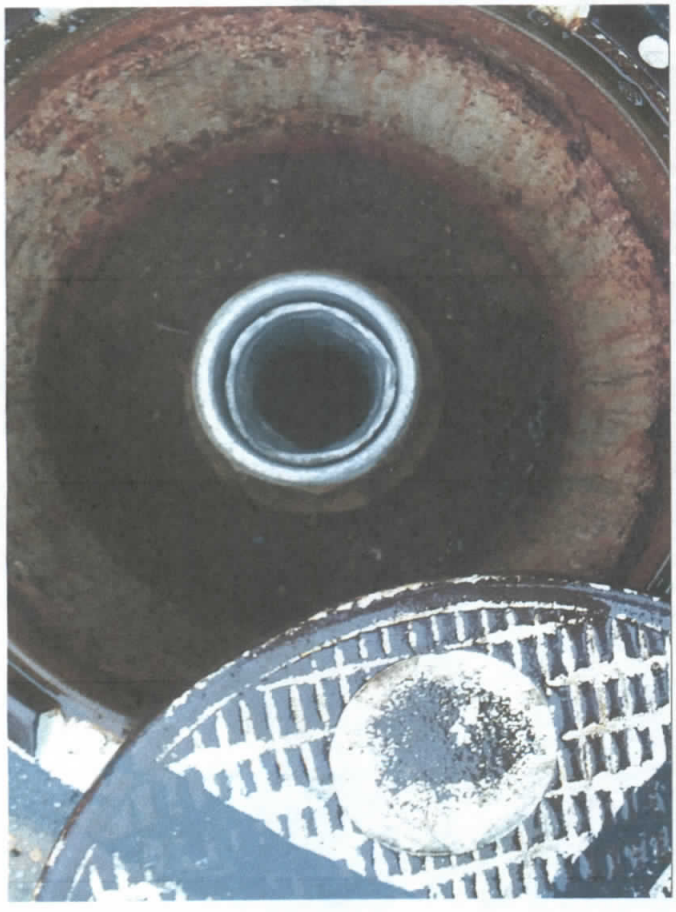
Worksheet (Continued) - Commonly Used Release Detection Methods			
Tank (Choose one)	**Pressurized Pipe** (Choose Two)	**Non-exempt Suction Pipe** (Choose one)	**Release Detection Method**
	❑		**G. Automatic Line Leak Detector (ALLD)** ☑ ALLD is present and operational. [280.44(a)] ❑ Annual function test of the ALLD has been conducted and records are available. [280.44(a)]
❑	❑	❑	**H. Other Methods [e.g., Statistical Inventory Reconciliation (S.I.R.)]** ❑ The method can detect a 0.2 gal/hr leak rate or a release of 150 gal within a month and meet the 95/5 requirement [280.43(h)(1)]; or ❑ The implementing agency has approved the method as being as effective as tank tightness testing, automatic tank gauging, vapor monitoring, ground water monitoring, or interstitial monitoring and the operator complies with any conditions imposed by agency. [280.43(h)(2)] ❑ S.I.R. - Results are received within time frame established by implementing agency. [280.41(a) & 280.43(h)]

Notes: N/A - Indicates that the measure is not applicable.

Any mark in the "N" (No) column means that the facility is not in Significant Operational Compliance (SOC) with Release Detection Compliance Measures.

In order for a compliance measure to be in SOC, all applicable check-box items must be in compliance.



WATER WELL MONITORING

WELL LOCATION	DATE	VISIBLE SHEEN	PRODUCT FOUND	WATER ONLY	SAMPLED BY (NAME)
N	01.04.18	No	No	Yes	munir
N.west	01.04.18	No	No	Yes	munir
N.south	01.04.18	No	No	Yes	munir
N	01.11.18	No	No	Yes	munir
N.west	01.11.18	No	No	Yes	munir
N.South	01.11.18	No	No	Yes	munir
N.	01.18.18	No	No	Yes	munir
N.west	01.18.18	No	No	Yes	munir
N.south	01.18.18	No	No	Yes	munir
N	01.25.18	No	No	Yes	munir
N.west	01.25.18	No	No	Yes	munir
N.South	01.25.18	No	No	Yes	munir
N	02.01.18	No	No	Yes	munir
N.west	02.01.18	No	No	Yes	munir
N.South	02.01.18	No	No	Yes	munir
N	02.8.18	No	No	Yes	munir
N.west	02.8.18	No	No	Yes	munir
N.South	02.8.18	No	No	Yes	munir
N.	02.15.18	No	No	Yes	munir
N.west	02.15.18	No	No	Yes	munir
N. South	02.15.18	No	No	Yes	munir
N.	02.22.18	No	No	Yes	munir
N.west	02.22.18	No	No	Yes	munir

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LOCATION ID: 36834 PERMIT NO: 2012TR00458

STATE OF NEW YORK
COUNTY OF NASSAU
OFFICE OF FIRE MARSHAL

F/C TANK REGISTRATION

Amendment

LOCATION: DELTA HEMPSTEAD BLVD PETROLEUM CORP, 510 UNIONDALE AVE, UNIONDALE, NY 11553

ISSUED TO: NAME UNITED GAS CORP. EFFECTIVE DATE: 08/22/2012
ADDRESS 510 UNIONDALE AVE EXPIRATION DATE: 03/31/2015
UNIONDALE, NY 11553

TANK ID	SIZE	PRODUCT	DATE INSTALLED	DATE TESTED	CONSTRUCTION
55581	6000	30120305	08/03/1982	03/05/2012	SFG
55582	6000	30120303	08/03/1982	03/05/2012	SFG
55583	6000	30120303	08/03/1982	03/05/2012	SFG

END OF LISTING

SEPTEMBER 01, 2012
DATE

Richard A. Mag
ASSISTANT CHIEF FIRE M

MUST BE POSTED IN A CONSPICUOUS LOCATION

36834

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Delta Hempstead Blvd Petroleum Corp, 510 Uniondale Ave, Uniondale, NY 11553

NY State ID: NAU 36834
Owner: United Gas Corp, 510 Uniondale Ave, Uniondale, NY 11553
Operator: Munir Akarsu, 510 Uniondale Ave, Uniondale, NY 11553

Tank	Capacity/ Product	Installed	Tank Type	Tank Monitoring	Piping	CP	Date of Inspection
55581	6000 gal/ Premium Gasoline	8/1/1982	FRP	Ground Water Monitoring	Pressurized FRP	N/A	10/22/2014
55582	6000 gal/ Regular Gasoline	8/1/1982	FRP	Ground Water Monitoring	Pressurized FRP	N/A	10/22/2014
55583	6000 gal/ Regular Gasoline	8/1/1982	FRP	Ground Water Monitoring	Pressurized FRP	N/A	10/22/2014

Summary

a) EPA Contract Inspector Jeffrey Blair inspected the UST systems located at this facility on October 22, 2014. This inspection was conducted to assist EPA in determining the facility's compliance with the UST regulations set forth in 40 CFR Part 280.

The inspector provided the following information: (1) There is no overfill protection on any of the tanks. Spill prevention is provided by spill buckets; (2) leak detection is performed by ground water monitoring. (3) Regular Tanks 55582 and 55583 are manifolded.

b) Violation(s):

(1) Pursuant to 40 CFR 280.44(a) *Automatic Line Leak Detector.* An annual test of the operation of the leak detector must be conducted in accordance with the manufacture's requirements.

Pursuant to 40 CFR 280.45(b) All UST system owners and operators must maintain the results of any sampling, testing, or monitoring for at least 1 year.

During the inspection Mr. Blair requested to review copies of the records documenting the annual functionality testing of the line leak detectors, but the facility operator could not provide any.

(2) Pursuant to 40 CFR 280.44 Line release detection may be performed two ways.
(i) CFR 280.44(b) Line tightness test (performed annually); and
(ii) CFR 280.44(c) Performing monthly leak line leak detection in accordance with one of the methods in § 280.43 (e) through (h).

Pursuant to 40 CFR 280.45(b) All UST system owners and operators must maintain the results of any sampling, testing, or monitoring for at least 1 year.

During the inspection Mr. Blair requested to review copies of the records documenting that an annual line tightness test was performed on each of the lines, or copies of the previous 12 months line leak detection records. The facility manager could not provide any.

(3) Pursuant to 40 CFR 280.34(b)(4) Owners and operators of UST systems must maintain the following information: Recent compliance with release detection (§ 280.45).

Pursuant to 40 CFR 280.41(a) Tanks must be monitored at least every 30 days for releases.

Pursuant to 40 CFR 280.45(b) All UST system owners and operators must maintain the results of any sampling, testing, or monitoring for at least 1 year.

During the inspection Mr. Blair requested to review copies of the previous 12 months tank leak detection records. The facility manager could not provide any.

(4) Pursuant to 40 CFR 280.21(d) Upgrading of existing UST systems. *Spill and overfill prevention equipment.* To prevent spilling and overfilling associated with product transfer to the UST system, all existing UST systems must comply with new UST system spill and overfill prevention equipment requirements specified in §280.20(c).

Pursuant to 40 CFR 280.20(c)(ii) Overfill prevention equipment that will:
(A) Automatically shut off flow into the tank when the tank is no more than 95 percent full; or
(B) Alert the transfer operator when the tank is no more than 90 percent full by restricting the flow into the tank or triggering a high-level alarm; or
(C) Restrict flow 30 minutes prior to overfilling, alert the operator with a high level alarm one minute before overfilling, or automatically shut off flow into the tank so that none of the fittings located on top of the tank are exposed to product due to overfilling.

In the inspection report, Mr. Blair noted that there was no overfill prevention equipment on any of the tanks.

(5) Pursuant to 40 CFR 280.93(a) and (a)(1)

(a)Owners or operators of petroleum underground storage tanks must demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks in at least the following per-occurrence amounts: